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REMARKS

Claims 1-3 and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jennings. Applicants have amended claim 1 to include the features of claims 4 and 10 which have been cancelled. Further, claim 11 has been amended to include the features of claims 14 and 20 which have been cancelled. In view of the amendment, the rejection of claims 1-3 and 11 is deemed moot.

It should be noted that applicants have amended claims 1 and 11 in order to expedite prosecution of the instant application. The amendment to claims 1 and 11, however, should not be construed as an admission by applicant as to the validity of the rejection.

Applicants note that claims 4, 10, 14 and 20 were previously rejected under 35 U.S.C. §103 as being unpatentable over Jennings. As stated above, the features of these claims have been incorporated into independent claims 1 and 11. Applicants will therefore address the examiner's comments regarding the previously issued rejection of claims 4, 10, 14 and 20 as they may now apply to the independent claims.

The examiner states that it would be obvious to modify the system of Jennings such that the transmitting of transfer data and the receiving of transfer data are entered into the transfer coordinator at different times. However, such a modification would be contrary to the clear teachings of Jennings. Thus, the modification proposed by the examiner would not be prima facie obvious as required under 35 U.S.C. § 103

Jennings is directed to a system that allows one individual to transfer funds all over the world. In so doing, the single individual enters the transfer data into a terminal and also directs the receiving of the transfer data to a selected business at the same time. Applicants direct the examiner to Fig. 6 of Jennings which shows that the individual performing the data transfer operation selects a recipient business to which the funds are to be transferred (See Step 214). At no time is it necessary for the

recipient business to access the system at a later time in order to complete the transfer of funds. Instead, the transfer of funds and the designation of the receipt of the party to receive the funds are performed by the same individual.

In contrast, the claimed invention provides a method and apparatus wherein the transmitting transfer data and the receiving transfer data are respectively entered into the transfer coordinator device at different times by the first individual and the second individual. Namely, in the claimed method and apparatus, a first individual (the person sending the funds) interfaces with the transfer coordinator device in order to enter the amount of funds to be transferred, and a second individual (the person receiving the funds) then logs into the transfer coordinator device in order to complete the transfer of funds to their account.

Still further, the claimed apparatus and method require that the transmitting data entry device used by the first individual is separate, distinct and remotely located from the receiving data entry device used by the second individual. The examiner states it would be obvious to modify the system of Jennings to provide a transmitting data entry device that was separate and distinct from a receiving data entry device, but this would be contrary to the express teachings of Jennings wherein the transmitting data and the receiving data are entered by the same individual at a single location.

In view of the above, applicants submit that the single Jennings reference cannot form the basis for finding any of the claims in this case prima facie obvious as required under 35 U.S.C. §103. Jennings clearly does not disclose or suggest the separation of the transmitting data entry device and the receiving data entry device nor the fact that the transfer data and the receiving data are entered at different times by different individuals. Further, any attempt to modify the teachings of Jennings to include such features is contrary to the express teachings of the references.


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Claims 5-9 and 15-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jennings in view of Gillin. Applicants submit that Gillin fails to overcome the deficiencies of Jennings as set forth above. Accordingly, claims 5-9 and 15-19 are also believed to be in condition for allowance.

In view of the above, all of the claims in this case are believed to be in condition for allowance, notice of which is respectfully urged.

Respectfully submitted,

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